

ANN H. KOBAYASHI
CQUNCILMEMBER, DISTRICT 5
CHAIR, COMMITTEE ON BUDGET
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February 2, 2016

COUNT

TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

ROOM

HAWAII 96813-3065

530 SOUTH KING STREET,

HONOLULU,

Mr. Daniel Grabauskas,
Executive Director and CEO
Honolulu Authority for Rapid Transportation (HART)
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

RE: HART FY 2017 BUDGET BILLS

Dear Mr. Grabauskas,

Thank you for your correspondence of February 1, 2016, submitted for our review, which included the FY 2017 proposed budget bills. Because all the changes we requested were not included in the proposals, we provide you with further changes. As you are aware, these type of changes were made annually to the HART budgets by the Budget Committee during the budget process. As in our previous letter, we have included the electronic Excel files for you to use to resubmit your budget proposals. Please submit the files electronically in Word and Excel rather than as a pdf.

Thank you for your cooperation on this matter and we request that you provide us with your proposed budget bills by February 9, 2016, so we can move forward with your proposals.

Sincerely,

ANN H. KÖBAYASHI, Chair

Committee on Budget

Attachments

COUNCIL. COM. 18

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A BILL FOR AN ORDINANCE

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY AND COUNTY OF HONOLULU IN A MAXIMUM PRINCIPAL AMOUNT EQUAL TO THE AGGREGATE OF THE AMOUNTS APPROPRIATED FOR THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET PROJECTS IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2017, AND SPECIFIED IN SAID ORDINANCE TO BE FINANCED FROM THE PROCEEDS OF THE SALE OF SUCH BONDS AND TO BE EXPENDED FROM THE TRANSIT IMPROVEMENT BOND FUND.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. General obligation bonds of the City and County of Honolulu (the "City and County") are hereby authorized for issuance and sale in a principal amount equal to the aggregate of the amounts appropriated in the Honolulu Authority for Rapid Transportation (HART) Capital Budget and Program Ordinance for the fiscal year ending June 30, 2017, and specified in said Ordinance to be financed from the proceeds of the sale of such bonds and expended from the Transit Improvement Bond Fund. Unless the Council of the City and County shall determine by resolution of one reading adopted prior to the sale of such bonds the form (including "book-entry"), date, denominations and maturities of such bonds, the place or places of payment of the principal of and interest on such bonds, the place or places of registration of such bonds, the times, prices and method of redemption of such bonds, and the basis of award of such bonds, the Director of Budget and Fiscal Services is hereby authorized to perform such actions as provided by Section 47-7, Hawaii Revised Statutes (HRS); provided, however, that the Council of the City and County shall, in any case; 1) determine the principal amount of such bonds to be offered for sale from time to time by resolution of one reading adopted prior to such sale and 2) prior to the sale of such bonds, the City and County and HART shall enter into a memorandum of understanding subject to the provisions of Section 4. Without any further authorization from or action by the Council of the City and County but subject to the provisions hereof and of applicable law, the Director of Budget and Fiscal Services is hereby authorized to offer the general obligation bonds authorized hereby at one time or from time to time, at competitive sale or at negotiated sale to qualified purchasers in accordance with Section 47-8, HRS, in each case at such price or prices and upon such terms and conditions as the Director shall approve and determine to be in the best interest of the City and County. Without limiting the generality of the foregoing, with respect to the sale of any of the general obligation bonds authorized hereby, the Director of Budget and Fiscal Services is hereby authorized to retain bond counsel, paying agents, registrars and financial and accounting consultants, upon such terms and conditions as the Director shall deem advisable and in the best interest of the City and County, to select the date for such sale, to publish and distribute a Notice of Sale or to enter into a contract for the sale of such general obligation bonds, in each case in such form and containing such terms and conditions as the Director shall approve and deem advisable, to distribute an Official Statement and such other information relating to such general obligation bonds as the Director may deem advisable, to receive bids for the sale of such general obligation bonds or the portion thereof being offered and to award the sale thereof being offered to the bidder offering the lowest interest cost therefor, in accordance with the applicable Notice of Sale, if any; provided that the Director of Budget and Fiscal Services may reserve the right to reject any and all bids. Subject to the provisions hereof and applicable law, without further action of the Council of the City and County, the general obligation bonds authorized hereby or any portion thereof shall bear interest at the rates per annum as specified in the contract or contracts approved or in the bid or bids accepted. The Director of Budget and Fiscal Services and all officials of the City and County are hereby authorized to take such action and execute such orders, receipts and other documents as may be necessary in order to effectuate the sale of the general obligation bonds authorized hereby or any portion thereof, and, if any contract therefor be approved or any bid therefor be accepted, the preparation, execution and delivery



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thereof, in accordance with the provisions hereof and applicable law. In connection with, and at any time before or after the issuance of, such bonds, the Director may arrange for any insurance or banking arrangements as the Director may deem necessary or desirable, including, without limitation, credit or liquidity support facilities and interest rate swaps, swaptions, floors or caps and other similar contracts to hedge or reduce interest rate or similar risk or the cost of borrowing when used in conjunction with bonds.

SECTION 2. The proceeds of the bonds herein authorized can only be used to pay all of or part of those appropriations for public improvements of the City and County made in the aforesaid HART Capital Budget and Program Ordinance and specified therein to be financed from the proceeds of general obligation bonds and to be expended from the Transit Improvement Bond Fund.

SECTION 3. Pursuant to Section 47-16, HRS, the Director of Budget and Fiscal Services is hereby authorized to issue and sell general obligation bond anticipation notes in anticipation of the issuance of all or any portion of the bonds authorized hereby. The notes authorized hereby may be sold at one time or in part from time to time in such principal amounts as the Director of Budget and Fiscal Services shall determine to be in the best interest of the City and County; provided, however, that the Council of the City and County shall: 1) determine the principal amount of such notes to be offered for sale from time to time by resolution of one reading adopted prior to such sale; and 2) prior to the sale of such notes, the City and HART shall enter into a memorandum of understanding subject to the provisions of Section 4. Nothing herein prohibits the contemporaneous issuance and sale of general obligation bonds and notes.

SECTION 4. Memorandum of Understanding Relating to HART. Prior to the sale of general obligation bonds and bond anticipation notes to pay for appropriations for projects in the HART Capital Budget and Program Ordinance for the fiscal year ending June 30, 2017, the City and County shall submit to the Council, for approval by the Council by resolution, a memorandum of understanding between HART and the City and County seffing forth the obligations of HART to the City and County concerning the general obligation indebtedness. The memorandum of understanding must require that the City and County be reimbursed by HART for any payments of principal and interest and any other costs incurred by the City and County relating to the issuance of the general obligation indebtedness.

SECTION 5. The City and County of Honolulu shall comply with all applicable provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended, and applicable regulations of the Internal Revenue Service proposed or promulgated thereunder in the issuance of the bonds and notes authorized hereby and the application of the proceeds thereof.

SECTION 6. Any part of the bonds herein authorized remaining unissued and not required for any part of the appropriations hereinabove referred to made in the aforesaid HART Capital Budget and Program Ordinance will lapse as provided by the Charter.



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SECTION 7. This Ordinance takes effect upon its approval. INTRODUCED BY: DATE OF INTRODUCTION: Councilmembers Honolulu, Hawaii APPROVED AS TO FORM AND LEGALITY: Deputy Corporation Counsel APPROVED this _____ day of _____, 2016 KIRK CALDWELL, Mayor City and County of Honolulu



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RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 2016 to June 30, 2017 are hereby provided and appropriated for the purposes set forth in Sections 2 through 3:

OPERATING FUNDS

Fund Code		AMOUNT	LESS INTERFUND TRANSFER	NET AMOUNT
GN TR	General Fund Transit Fund	\$239,500,000 31,380,800	\$239,500,000 12,070,800	\$0 19,310,000
	TOTAL	\$270,880,800	\$251,570,800	\$19,310,000 ======

SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2016 to June 30, 2017 are appropriated as indicated to the following activities in the UTILITIES OR OTHER ENTERPRISES function.

=======================================	2202222222	#=========		========	=========	=======================================
	NUMBER OF				TOTAL	SOURCE
	POSITIONS		CURRENT		ALL	OF
FUNCTIONS, PROGRAMS & ACTIVITIES	(F,T.E.)	SALARIES	EXPENSES	EQUIPMENT	FUNDS	FUNDS
UTILITIES OR OTHER ENTERPRISES	========	=========	=========	2622442222	*#3#3823#23#	225555232821822
MASS TRANSIT: Honolulu Authority for Rapid Transportation						
Rapid Transit	139.00	\$9,814,600	\$4,726,800	\$6,000	\$14,547,400	\$14,547,400 TR
TOTAL UTILITIES OR OTHER ENTERPRISES	. 139.00	9,814,600	4,726,800	6,000	14,547,400	14,547,400
		========	========	========	=========	**********

UTILITIES OR OTHER ENTERPRISES SOURCE OF FUNDS

TR Transit Fund \$14,547,400

TOTAL UTILITIES OR OTHER ENTERPRISES

\$14,547,400



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SECTION 3. The monies described in Section 1 for the fiscal year July 1, 2016 to June 30, 2017 are appropriated as indicated to the following activities in the MISCELLANEOUS function.

TOTAL MISCELLANEOUS	0.00	\$0	\$256,333,400	\$0	\$256,333,400	\$256,333,400	===
Transfer to Transit Fund	00.0	0	239,500,000	0	239,500,000	239,500,000	GN
Transfer to General Fund for Debt Service	00,0	0	10,000,000	0	10,000,000	10,000,000	TR
Transfer to General Fund Services Provided to Honolulu Authority for Rapid Transportation	0.00	0	1,052,700	0	1,052,700	1,052,700	TR
TRANSFERS TO OTHER FUNDS: Transfer to General Fund for Central Administrative Service Expenses	0.00	0	1,018,100	0	1,018,100	1,016,100	TR
Provision for Other Post-Employment Benefits for HART	0,00	0	292,000	0	292,000	292,000	TR
Unemployment Compensation	0.00	0	10,700	0	10,700	10,700	TR
OTHER MISCELLANEOUS: Workers' Compensation for HART	0.00	0	256,600	0	256,600	256,600	TR
Hawaii Emptoyer-Union Health Benefits Trust Fund for HART	0,00	٥	1,953,400	0	1,953,400	1,953,400	TR
FICA Tax-Employer's Share for HART	0.00	0	743,500	0	743,500	743,500	TR
RETIREMENT AND PENSION CONTRIBUTIONS: County Pension and Related Expenses Retirement System Contributions Employer's Share for HART	0.00	\$0	\$1,506,400	\$0	\$1,506,400	\$1,506,400	TR
MISCELLANEOUS							
FUNCTIONS, PROGRAMS & ACTIVITIES	NUMBER OF POSITIONS (F.T.E.)	SALARIES	CURRENT EXPENSES	EQUIPMENT	TOTAL ALL FUNDS	SOURCE OF FUNDS	
	= ========	=========		**********	555555555555		===

MISCELLANEOUS SOURCE OF FUNDS

GN General Fund TR Transit Fund \$239,500,000 16,833,400

TOTAL MISCELLANEOUS

\$256,333,400



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SECTION 4. The sums appropriated above are tetaled as follows:

FUNI COD		AGENCY	MISCELLANEOUS	<u>TOTAL</u>
GN TR	General Fund Transit Fund	\$0 14,547,400	\$239,500,000 16,833,400	\$239,500,000 \$31,380,800
	TOTAL	\$14,547,400	\$256,333,400	\$270,880,800
	FUNCTION	<u>TOTAL</u>	LESS INTERFUND <u>TRANSFER</u>	NET <u>TOTAL</u>
	Utilities or Other Enterprises Miscellaneous	\$14,547,400 256,333,400	\$0 251,570,800	\$14,547,400 \$4,762,600
	TOTAL	\$270,880,800	\$251,570,800	\$19,310,000



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SECTION 5. General Provisos.

(a) As used in this Ordinance:

"Agency' includes any department, office, board, commission, or other government unit of the City and County of Honolulu, as the case may be:

'Authority" means the Honolulu Authority for Rapid Transportation.

"Charter" or "RCH" means the Revised Charter of Honolulu 1973, as amended. --

"City" means the City and County of Honolulu.

"Council" means the Council of the City and County of Honolulu.

"Government" means the federal government, the Hawaii State government, the government of any other state, any political subdivision of any state, or any quasigovernmental entity.

"ROH" means the Revised Ordinances of Honolulu 1990, as amended.

(b) Limited purpose monies. The Authority may receive monies whose use is specified or otherwise limited by the monies' source from: (1) any governmental or quasi-governmental agency (2) any private source including monetary gifts whose use is specified by the donor or (3) any combination thereof; When such monies are received, the Authority shall maintain special funds or accounts showing the monies so received and specifying the purposes for which they have been received and held.

All such monies specified in Sections 2 and 3 of this ordinance are appropriated in the amounts and for the purposes set forth, and all expenditures shall be made as provided by law. All other such monies not specified in Sections 2 and 3 of this ordinance and which are limited purpose monies are hereby appropriated and may be expended by the Authority for their permitted limited purposes.

- (c) At the close of each quarter, the Authority shall submit to the Council a Statement of Cash Balances by Fund showing for each quarter for each individual fund the cash balance at the start of the accounting period and the cash balance at the end of the month.
- (d) No transfer of funds shall be made from any activity unless such transfer complies with the requirements set forth in ROH Section 2-17.2(c).
- (e) If any portion of this ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, the Council hereby declares that the remainder of this ordinance and all other provisions thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objectives of such appropriation to the extent possible.

(f) No monies shall be expended by the Honolulu Authority for Rapid Transportation for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the Gity Council.

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SECTION 6. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1,2016 to June 30, 2017, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2017, Volume 1 (Operating Program and Budget), and as amended in any Executive Operating Program amendments, is hereby incorporated by reference and adopted as an integral part of this ordinance. The detailed Statement of Revenues and Surplus contained therein may be further amended regarding any applicable fund by an amendment to the Executive Operating Budget ordinance, Executive Capital Budget ordinance, Legislative Budget ordinance, Operating Budget ordinance for the Honolulu Authority for Rapid Transportation, or Capital Budget ordinance for the Honolulu Authority for Rapid Transportation. In case of any conflict between the substantive provisions of the Executive Operating Program as transmitted and this ordinance or the above budget amendments, the provisions of this ordinance and any of the above budget amendment shall prevail.

SECTION 7. Should monies received from the State of Hawaii for collection of the county surcharge on state general excise and use tax exceed the amounts specified hereinbefore in Sections 1 and 3, the excess is hereby appropriated to the general fund and shall be transferred from the general fund to the transit fund. Within 14 days of the transfer, the Director of Budget and Fiscal Services shall report to the Council on the excess amount(s) appropriated and transferred to the transit fund.

SECTION 8. The amendments to the Honolulu Authority for Rapid Transportation Operating Budget ordinance, as may be attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance.



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A BILL FOR AN OF	TOINAINGE
SECTION 8. This Ordinance takes effect on July 1, 201	6.
	INTRODUCED BY:
	
DATE OF INTRODUCTION:	
Honolulu, Hawaii	Councilmembers
APPROVED AS TO FORM AND LEGALITY:	·
Deputy Corporation Counsel	
APPROVED this day of, 2016	
·	
KIRK CALDWELL, Mayor City and County of Honolulu	



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RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 2016 to June 30, 2017 are hereby provided and appropriated for the purposes set forth in Section 2:

FUND	SOURCE OF FUNDS	AMOUNT		TOTAL
	FEDERAL FUNDS			
FG	Federal Grants Fund	\$ 54,690,000	\$	54,690,000
	GENERAL OBLIGATION BONDS:			
TF	Transit Improvement Bond Fund	\$ 81,299,000	\$.	81,299,000
	TRANSIT FUND:			
TR	Transit Fund	\$ 46,310,000	\$	46,310,000
	TOTAL ALL FUNDS		<u></u>	182,299,000



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SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2016 to June 30, 2017 are appropriated as indicated to the following projects and public improvements in the UTILITIES OR OTHER ENTERPRISES function. Nothing in this section shall be construed as restricting the allocation of monies among the work phase appropriations (e.g., planning, design, and construction).

PROJECT NUMBER	FUNCTIONS, PROGRAMS & PROJECTS	WORK PHASE		SOURCE OF FUNDS		TOTAL ALL FUNDS	
-	JTILITIES OR OTHER ENTERPRISES					de	lete bold
2007005	HONOLULU AUTHORITY FOR RAPID TRANSPORTATION HONOLULU HIGH CAPACITY TRANSIT PROJECT Plan, design, construct, relocate and other for the Locally Preferred Alternative.	623,000 4,341,000 47,213,000 - - 130,122,000	LPDCIERXA	54,690,000 81,299,000 46,310,000	TF	182,299,000	60 (6
	TOTAL UTILITIES OR OTHER ENTERPRISES	\$ 182,299,000		\$ 182,299,000	\$	182,299,000	
	UTILITIES OR OTHER ENTERPRISES						
	SOURCE OF FUNDS						
	FG Federal Grants Fund TF Transit Improvement Bond Fund TR Transit Fund	\$ 54,690,000 81,299,000 46,310,000					
	TOTAL SOURCE OF FUNDS	\$ 182,299,000	-				
	WORK PHASE			~			
·	L Land P Planning D Design C Construction I Inspection E Equipment R Relocation X Other A Art	\$ 623,000 4,341,000 47,213,000 - - 130,122,000				×	
	TOTAL WORK PHASES	\$ 182,299,000					



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please reformat the rest of the bill to 12 point font.

SECTION 3. General Provisos.

(a) As used in this Ordinance:

"Authority" means the Honolulu Authority for Rapid Transportation.

"Council" means the Council of the City and County of Honolulu.

"Government" means the federal government, the Hawaii State government, the government of any other state, any political subdivision of any state, or any quasigovernmental entity.

(b) Limited purpose monies. The Authority may receive monies whose use is specified or otherwise limited by the monies' source from: (1) any governmental or quasi-governmental agency; (2) any private source including monetary gifts whose use is specified by the donor; or (3) any combination thereof. When such monies are received, the Authority shall maintain special funds or accounts showing the monies so received and specifying the purposes for which they have been received and held.

All such monies specified in Section 2 of this ordinance are appropriated in the amounts and for the purposes set forth, and all expenditures shall be made as provided by law. All other such monies not specified in Section 2 of this ordinance and which are limited purpose monies are hereby appropriated and may be expended by the Authority for their permitted limited purposes.

The Authority shall report to the Council no later than 30 days after June 30 detailing, for the capital budget fiscal year just ended, the amount of any excess monies received, and the function, program, and project to which the monies have been allotted for expenditure.

- (c) At the close of the each quarter, the Authority shall submit to the Council a Statement of Cash Receipts and Disbursements showing for each quarter for each individual fund the cash balance at the start of the accounting period, the cash receipts and disbursements during the period, and the cash balance at the end of the month of each month of the quarter covered by the report.
- (d) Any appropriation authorized in this ordinance or any amendment thereto shall be valid for the fiscal year July 1, 2016 to June 30, 2017 and 12 months thereafter. Any part of such appropriation which is not expended or encumbered shall lapse on June 30, 2018.
- (e) If any portion of this ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, the Council hereby declares that the remainder of this ordinance and all other provisions thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objectives of such appropriation to the extent possible.
- (f) No monies shall be expended by the Henolulu Authority for Rapid Transportation for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the Gity Council.
- (g) The project number is included for accounting purposes only. If there is a conflict between the number and the project title in this ordinance, the project title shall prevail.

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6	INTRODUCED BY:
DATE OF INTRODUCTION:	
Honolulu, Hawaii	Councilmembers
APPROVED AS TO FORM AND LEGALITY:	
Deputy Corporation Counsel	
APPROVED this day of	, 2016
KIRK CALDWELL, Mayor	
City and County of Honolulu	

SECTION 5. The amendments to the Honolulu Authority for Rapid Transportation Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance.

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RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 20XX TO JUNE 30, 20XX.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 20XX to June 30, 20XX are hereby provided and appropriated for the purposes set forth in Sections 2 through 3:

OPERATING FUNDS

FUNI CODI	,	AMOUNT	LESS INTERFUND <u>TRANSFER</u>	NET <u>AMOUNT</u>
GN TR	General Fund Transit Fund	\$0 0	\$0 0	\$0 0
	TOTAL	\$0	\$0	\$0



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RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 20XX TO JUNE 30, 20XX.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 20XX to June 30, 20XX are hereby provided and appropriated for the purposes set forth in Section 2:

FUND CODE	SOURCE OF FUNDS		AMOUNT	TOTAL
	FEDERAL FUNDS			
FG	Federal Grants Fund		\$0	\$0
	GENERAL OBLIGATION BONDS:			
TF	Transit Improvement Bond Fund	<u> </u>	\$0	\$0
	TRANSIT FUND:		·	
TR ·	Transit Fund		\$0	\$0
	TOTAL ALL FUNDS			\$0